

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Umar Alli

Plaintiff

vs.

Security Office Pedlar., Et al
Defendants

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SDNY PRO SE OFFICE

2015 AUG 24 MBF:28 To Compel

14 CIV. 10257

USDC (SDNY) (JLC)

DOCUMENT

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DATE FILED:

Pro se Plaintiff Umar Alli Pursuant to Rule 37(4), Federal Rules of Civil Procedure. Request this Court to Compel defendants to Provide the mandated Rule 26 initial disclosures and the service information, and or the identities, of the John doe defendants. As further stated in Plaintiff affidavit in support of this motion to Compel. This motion is submitted on the 18th of August 2015 with a return date of two weeks from received date.

Thank you for your time and consideration.

Dated: August 18 2015
Dannemora N.Y 12929

Respectfully
Umar Alli

To: Pro se Clerk

United States District Court
Southern District of New York
500 Pearl Street.
New York NY 10007

Clinton Correctional Facility
P.O. Box 2000
Dannemora NY 12929

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UMAR ALLI
Plaintiff

VS.

SECURITY OFFICER PEDLAR, et al
Defendants

AFFIDAVIT IN SUPPORT
OF
MOTION TO COMPEL
14 CIV. 10257 (RA)(JLC)

STATE OF NEW YORK
COUNTY OF CLINTON.

Pro se Plaintiff Umar Alli being duly sworn says:

1. I am the Plaintiff in the above matter. I make this affidavit in support of my motion to Compel.

2. In accordance to the Federal Rules of Civil Procedure Rule 37(4) Evasive or incomplete disclosures answers or responses... An evasive or incomplete disclosure, answer or response must be treated as a failure to disclose, answer or respond.

3. In accordance to Federal Rules of Civil Procedure Rule 37(a)(2) States a motion to compel other parties to make initial disclosures or to respond to discovery request...

4. On March 6 2015 the Courts ordered the defendants to Provide the local Rule 33.2 interrogatories and request for production of documents within 120 days of March 6 2015. Since then defendants have not complied and or sought an extension to plead. Defendant failed to reply to written request for said disclosures. Over ninety (90) days has elapsed thus setting defendants in default.

5. Defendants have provided inadequate evasive disclosures to the Courts March 6 2015 and June 30 2015 "Valentin" Orders to provide the identities' and or service information for the John Doe defendants.

6. The service information and or identities for the John Doe defendants are known to defendants and has been made known through departmental investigation and or investigations conducted by the investigation Division and or Inspector General.

7. Defendants July 13 and July 14 2015 disclosure only provided the following service information:

1. Chief of Department

2. Investigating Captain of the February 23 2012 incident

3. Probe Team Captain of the February 23 incident

4. Defendants Budnarine Behari, Paul Bunton and Florence Finkle.

Said above disclosures neglect the mass identities sought.

8. Plaintiff has wrote the defendants and or the Court notifying them of the evasive responses yet to no avail.

9. Plaintiff has reasonably identified the sought defendants to warrant the disclosure of identities and or the service information.

10. Plaintiff request that the courts Compel the defendants to provide the below stated identity and or service information for below requested:

- 1.) John Doe Deputy Chief of Department

- 2.) John Doe Supervising Warden of G.R.V.C

- 3.) John Doe Officers whom worked Visiting room on January 11 2012.

- 4.) John Doe Adjudication Captain of Infraction that stemmed from January 11 2012 UOF
- 5.) John Doe Deputy Warden of Security
- 6.) Service address for Correctional Health Service/Prison Health Service
- 7.) John Doe six (6) Board of Corrections field representatives
- 8.) John Doe witness and or Participants of January Use of force
- 9.) John Doe Physicians (P/A)'s Whom endorsed Doc Officials request for medical treatment in Connection to the January 2012 Use of force.
- 10.) Service information for the Inspector General/Investigation Division

11. Plaintiff has been unduly burdened due to defendants Prejudicial Conduct of maliciously failing to Conduct an adequate Search and or Provide known identities of sought defendants.

12. Defendants evasive responses has effected the Furthering of litigation. Defendants are willfully and maliciously Withholding identities to avoid Prosecution of sadistic defendants.

13. Wherefore Plaintiff request respectfully that his motion is granted in all respects.

Thank you for your Time and Consideration.

Dated; August 18 2015
Dannemora New York

Respectfully
Umar Atti

Clinton Correctional facility
P.O. Box 2000
Dannemora NY 12929

AFFIDAVIT OF SERVICE

CC

County of Clinton
State of New York

RE: Alli v. Security Officer Pedlar et al
14. CIV. 10257 (RA)(JLC)

I Umar Alli Pro se Plaintiff hereby sworn that on
the 18th day of August 2015 I have mailed through first
class mail of Clinton Correctional facility the below stated
documents to the below stated Partys'.

A. Motion to Compel

B. AFFIDAVIT of Support to motion to Compel

To. Pro se Clerk

U.S.D.C., ~ S.D.N.Y

500 Pearl Street

New York NY 10007

CC. Daniel Saavedra, City Law Department
100 Church Street, New York NY 10007

Sworn to before me on this 18th day
of August 2015

Respectfully
Umar Alli

MELISSA M. RENDLE
Notary Public State of New York
No. 01RE6252319
Qualified in Clinton County
Commission Expires 01/15/15

Notary Public

Melissa M Rendle

Clinton Correctional Facility
P.O. Box 2000
Dannemora NY 12929

DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

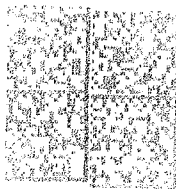
CLINTON CORRECTIONAL FACILITY

P.O. BOX 2000

DANNEMORA, NEW YORK 12929

NAME: Uma

DIN: 11A1086



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Pro SE Clerk
Southern District of New York
UNITED STATES DISTRICT COURT
500 PEARL STREET
New York N.Y. 10007

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